

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALEJANDRO MANUEL ZAPATA OSORIO,
ARTURO DEL RAZO, BRAULIO ROLANDO
CASHABAMBA CHANGO, BYRON SALVADOR
BARRERA SANCHEZ, CARLOS E. SIERRA
RODRIGUEZ, EDWIN FABRICIO
CASHABAMBA TUBON, JESUS SIERRA,
JUAN SIERRA, RAMON ROSALES GALVEZ,
RAUL CHAVEZ DIAZ, SEGUNDO LEANDRO
ALULEMA GUANO, SEGUNDO NICOLAS
SIGUENCIA ENCALADA, and WILDER
RODRIGUEZ, individually and on
behalf of others similarly situated,
Plaintiffs,

v.

VECTOR STRUCTURAL PRESERVATION,
CORP. (D/B/A VECTOR STRUCTURAL
PRESERVATION), NORTH STAR STRATEGY,
INC. (D/B/A NORTH STAR STRATEGY),
BILL HANDAKAS, VASSILIOS HANDAKAS,
and SERGIO DOE,
Defendants.

Case No.

1:19-cv-

04896-LDH-ST

VIDEOCONFERENCE DEPOSITION OF

BILL HANDAKAS

DATE: Thursday, March 17, 2022

TIME: 10:04 a.m.

LOCATION: Remote Proceeding

New York, NY 10001

REPORTED BY: Shenay Crawford, Notary Public

JOB NO.: 5141049

A P P E A R A N C E S

ON BEHALF OF PLAINTIFFS ALEJANDRO MANUEL ZAPATA
OSORIO, ARTURO DEL RAZO, BRAULIO ROLANDO CASHABAMBA
CHANGO, BYRON SALVADOR BARRERA SANCHEZ, CARLOS E.
SIERRA RODRIGUEZ, EDWIN FABRICIO CASHABAMBA TUBON,
JESUS SIERRA, JUAN SIERRA, RAMON ROSALES GALVEZ,
RAUL CHAVEZ DIAZ, SEGUNDO LEANDRO ALULEMA GUANO,
SEGUNDO NICOLAS SIGUENCIA ENCALADA, and WILDER
RODRIGUEZ, individually and on behalf of others
similarly situated,

CLELA ERRINGTON, ESQUIRE (by videoconference)
CSM Legal, PC
60 East 42nd Street, Suite 4510
New York, NY 10165-6229
clela@csm-legal.com

ON BEHALF OF DEFENDANTS VECTOR STRUCTURAL
PRESERVATION CORP. (D/B/A VECTOR STRUCTURAL
PRESERVATION), BILL HANDAKAS, VASSILIOS HANDAKAS:

GAYLE ROSEN, ESQUIRE (by videoconference)
Rabinowitz, Galina & Rosen
94 Willis Avenue, Suite 2
Mineola, NY 11501
grosen@randglaw.net
(516) 739-8222

1 A P P E A R A N C E S (Cont'd.)

2 ALSO PRESENT:

3 Fidel Lozano, Paralegal, CSM Legal, PC
4 (by videoconference)

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I N D E X

EXAMINATION: PAGE

By Ms. Errington 9

E X H I B I T S

NO. DESCRIPTION PAGE

Exhibit A Payroll Register, 52
Vector Structural Preservation Corp.,
14 pages, 2018.

(Exhibits attached.)

D O C U M E N T S R E Q U E S T E D

NO. DESCRIPTION PAGE

1 Contract between 35
Vector and Hudson Meridian,
Yonkers project.
2 Vector invoices reflecting 37
when North Star Solutions
began supplying workers,
Yonkers project.

1 B. HANDAKAS

2 THE REPORTER: Good morning. My name
3 is Shenay Crawford; I am the officer assigned by
4 Veritext to take the Zoom record of this proceeding.

5 I'm a notary authorized to take
6 acknowledgements and administer oaths in New York and
7 New Jersey. We are now on the record.

8 This is the deposition of Bill Handakas
9 taken in the matter of Alejandro Manuel Zapata Osorio,
10 Arturo Del Razo, Braulio Rolando Cashabamba Chango,
11 Byron Salvador Barrera Sanchez, Carlos E. Sierra
12 Rodriguez, Edwin Fabricio Cashabamba Tubon, Jesus
13 Sierra, Juan Sierra, Ramon Rosales Galvez, Raul Chavez
14 Diaz, Segundo Leandro Alulema Guano, Segundo Nicolas
15 Siguencia Encalada, and Wilder Rodriguez, individually
16 and on behalf of others similarly situated vs. Vector
17 Structural Preservation Corp., doing business as
18 Vector Structural Preservation), North Star Strategy,
19 Inc., doing business as North Star Strategy, Bill
20 Handakas, Vassilios Handakas, and Sergio Doe, on March
21 17, 2022, at 10:04 a.m., on Zoom.

22 Due the pandemic and out of concern for
23 public and participant safety, parties agree that I
24 will swear in the witness remotely, outside of his
25 physical presence.

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B. HANDAKAS

Absent an objection on the record before the witness is sworn, all parties and the witness understand and agree that any certified transcript produced from this proceeding:

- is intended for all uses permitted under applicable procedural and evidentiary rules and laws in the same manner as a deposition recorded by stenographic means; and
- shall constitute written stipulation of such.

At this time will the attorneys appearing remotely please identify themselves for the record.

MS. ERRINGTON: Good morning. My name is Clela Errington. I'm an associate with CSM Legal, and I represent the plaintiffs.

MS. ROSEN: Gayle Rosen, Rabinowitz, Galina & Rosen, for the defendants Handakas, and Vector, only.

THE REPORTER: Thank you. Hearing no objection, I will now swear in the witness.

Mr. Handakas, please raise your right hand.

1 B. HANDAKAS

2 WHEREUPON,

3 BILL HANDAKAS,

4 called as a witness, and having been first duly sworn
5 to tell the truth, the whole truth and nothing but the
6 truth, was examined and testified as follows:

7 THE REPORTER: Please state, and spell,
8 your name for the record.

9 THE WITNESS: Okay. My name Vassilios,
10 V-A-S-S-I-L-I-O-S, Handakas, H-A-N-D-A-K-A-S.

11 THE REPORTER: Thank you. Please state
12 your address for the records.

13 THE WITNESS: Hmm.

14 MS. ROSEN: Business is okay. You can
15 give business.

16 THE WITNESS: Okay. It's 40 Roselle
17 Street, R-O-S-E-L-L-E, Street, in Mineola, New York
18 1105 -- no. 1150 --

19 MS. ROSEN: 501.

20 THE REPORTER: 11501?

21 THE WITNESS: Yes.

22 THE REPORTER: Thank you.

23 Counsel, you may proceed.

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B. HANDAKAS
EXAMINATION

BY MS. ERRINGTON:

Q Good morning, Mr. Handakas. As I just said, my name is Clela Errington. I'm an associate with CSM Legal. I appreciate you taking the time today.

First of all, I'm going to give you some general instructions just to sort of move this along quickly. First, you have just sworn to tell the truth. Although we are doing this remotely, over Zoom, this carries all the same weight as if you were testifying in a court of law in front of a judge. It also carries with it the same penalties if you are found to be willfully dishonest. Do you understand this?

A Yes. That applies to everybody, though? Right?

Q Sure does, sir.

A Okay.

Q And then second of all, when you answer a question, I'm going to ask that your answers be verbal. The court reporter can't right down that you nodded, or answered "Mm-hmm," or "Uh-uh." Do you understand this?

A I do.

1 B. HANDAKAS

2 Q If you don't understand a question I ask
3 today, please let me know. I will rephrase it.
4 Otherwise, if you answer a question you're asked
5 today, I'm going to assume you understood it.

6 And then I don't want you guess, or
7 speculate, as to answers to any of these questions.
8 If you don't know, or don't you remember, you can say
9 that.

10 A Of course.

11 Q Please wait for me to finish my question
12 completely before you answer, and I will wait until
13 you finish answering to move on to the next question.
14 That way, the court reporter can transcribe a full
15 question, and a full answer.

16 If at some point during the deposition you
17 realize that an earlier answer you gave was
18 inaccurate, or incomplete, please let me know, and I
19 will give you a chance to correct your answer.

20 You may also review a transcript of today's
21 deposition and correct any errors that you find in the
22 transcript. If you make changes to the transcript, I
23 will be able to comment on those changes at trial.

24 Today, I'm hoping we will not be here for
25 too long. But if you do need to take a break, let me

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B. HANDAKAS

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know, and we'll do so. However, I do ask that you
3 answer any question that is pending before you take
4 the break. Do you understand everything I have just
5 said?

6

A Perfectly.

7

Q Moving on, is there any reason you cannot
8 testify truthfully, fully, and accurately, today?

9

A No. There is not.

10

Q Are you under the influence of any drugs, or
11 alcohol, that might impair your ability to answer
12 questions this morning?

13

A No. I am not.

14

Q Have you failed to take any medication that
15 you usually do take, that might affect your ability to
16 answer questions?

17

A No.

18

Q Is English your first language?

19

A Yes.

20

Q Have you ever been deposed before?

21

A Yes.

22

Q Well, how many times would you estimate?

23

A Thirty, forty, fifty. I don't know. I
24 don't remember. Many.

25

Q So you probably knew all that before?

1 B. HANDAKAS

2 A Yes. I knew.

3 Q When was the last time you were deposed?

4 A Probably within the last four months if my
5 memory serves me.

6 Q What was your role in that case?

7 A Witness.

8 Q What were the facts of the case?

9 A I don't recall.

10 Q Are you aware of the outcome of that case?

11 A Not yet.

12 Q Before today's deposition, did you discuss
13 your deposition testimony with anyone other than your
14 attorney?

15 A Not even with my attorney.

16 Q To prepare for your deposition today, did
17 you review any documents?

18 A No. There are no documents to review.

19 Q Understood. Have you ever been a plaintiff
20 in a civil lawsuit?

21 MS. ROSEN: Objection to form.

22 A Yes.

23 MS. ROSEN: You can answer.

24 THE WITNESS: Yes.

25 //

1 B. HANDAKAS

2 BY MS. ERRINGTON:

3 Q How many times?

4 A I -- I don't recall, the top of my -- right
5 now, I don't recall.

6 Q Do you recall the last time that you filed
7 suit as a plaintiff in a civil lawsuit?

8 MS. ROSEN: Objection to form.

9 You can answer.

10 A What was the question again? I'm sorry.

11 Q Do you recall the last time that you filed
12 suit as a plaintiff?

13 A Filed? Probably four years ago.

14 Q And who were the parties to this lawsuit?

15 A I'm sorry?

16 Q Who were the parties to that lawsuit?

17 A I -- I don't recall right now.

18 Q Do you recall what the case was about?

19 A You told me not to assume, but on this
20 one -- most of my cases are that entities that owe us
21 money that haven't paid us.

22 Q Understood.

23 A So that's the only reason why I would start
24 a lawsuit. No other reason.

25 Q Other than this case, have you ever been a

1 B. HANDAKAS

2 defendant in a civil lawsuit?

3 A I would think so.

4 Q How many times?

5 A I -- I mean I would have to --

6 MS. ROSEN: Don't guess.

7 THE WITNESS: Not -- yeah. I would --
8 it would be a guess because basically, whatever
9 lawsuit we have that we haven't been paid from GCs, or
10 owners, there's usually one, or two, suppliers that
11 haven't been paid. So you know, that -- that's how it
12 works.

13 I mean I -- I don't recall the exact
14 numbers. I didn't think I would be asked these
15 questions, so I didn't really put any thought into
16 that before I got into this.

17 BY MS. ERRINGTON:

18 Q That's perfectly fine. This is just for
19 background.

20 A Right.

21 Q So next, I know we have listed you on the
22 Caption as "Bill Handakas," and you have stated your
23 full name as "Vassilios Handakas." Do you go by
24 "Bill" as a nickname?

25 A "Vassilios" is my legal name. "Bill" is my,

1 B. HANDAKAS

2 quote/unquote, interpreted name in -- in English.

3 Q Understood. Have you gone by any names
4 besides "Bill Handakas," or "Vassilios Handakas"?

5 A No. No.

6 Q Where were you born?

7 A New York, U.S.A.

8 Q Are you currently employed, Mr. Handakas?

9 A No.

10 Q What was the last job that you held?

11 A I worked as the manager at Vector Structural
12 Preservation.

13 Q Were you an employee of Vector Structural
14 Preservation?

15 A Yes. I was.

16 Q Did you have an ownership interest in Vector
17 Structural Preservation?

18 A Well, the previous question you asked me
19 implies that I didn't, and I answered that I was an
20 employee. So no. I don't have. Never had.

21 Q Do you know who was the owner of Vector
22 Structural Preservation?

23 A Of course, I do.

24 Q Can you tell me that person's name?

25 A Constantinos Handakas.

1 B. HANDAKAS

2 Q Is he a relation of yours?

3 A He's my father or was my father. He passed
4 away.

5 Q I'm very sorry to hear that.

6 A Thank you.

7 MS. ROSEN: I didn't know, Bill. I'm
8 sorry.

9 THE WITNESS: Oh. Thanks.

10 BY MS. ERRINGTON:

11 Q How long did you work at Vector Structural
12 Preservation Corp.?

13 A Now, you're asking personal questions. Let
14 me see. About 19 years.

15 Q I'm going to refer to this company as
16 "Vector," going forward. Save a little bit of time.
17 Is Vector still in business?

18 A In business, not really. Operational, yes.
19 It's still operational because of some cases like
20 this.

21 Q Understood. And so again, I'm very sorry to
22 hear about your father. Is there someone who
23 currently has an ownership interest in Vector?

24 A No. Not really. I'm not sure. I don't
25 know the status of any of that.

1 B. HANDAKAS

2 Q Who is the person responsible for making
3 decisions on behalf of Vector?

4 A [Unintelligible response.]

5 MS. ROSEN: Objection to form.

6 Currently?

7 MS. ERRINGTON: Currently. Yes.

8 BY MS. ERRINGTON:

9 Q Since the passing of the previous owner?

10 A Well, there's not really any decisions to
11 make. It's pretty much out of business, so it hasn't
12 gotten any new work, or is not performing any work.

13 Q In your role at Vector as a manager, did you
14 manage, or supervise, employees?

15 A Employees that worked for Vector, yes.
16 Employees that did not work for Vector, no. They were
17 under their respective employer.

18 Q Well, what kind of business was Vector in?

19 A Performing construction work.

20 Q Did Vector enter into contracts with other
21 construction companies?

22 A When you mean "other construction
23 companies," what do you exactly mean?

24 Q I apologize. I'm not familiar with this
25 area of work. I would say general contractors, for

1 B. HANDAKAS

2 example, or subcontractors?

3 A Well, yes. General contractors to get the
4 work from, and subcontractors to give the work to.

5 Q Did Vector perform any work, itself, or did
6 it only subcontract out jobs?

7 MS. ROSEN: Objection to form.

8 You can answer.

9 A In the history of Vector, there were some
10 times that it had a couple of employees at the
11 construction sites. Very rare. Not -- on the subject
12 -- well, mostly it was in the previous years, like
13 five years ago -- up to five years ago, subcontractors
14 were engaged.

15 Afterwards, we met, and started dealing
16 with, North Star Solutions -- Sal Almonte -- which is
17 a construction staff -- staffing provider. And he
18 would actually provide the labor, and the employees --
19 his employees, to perform work that we needed done.

20 Q And I'm sorry. You said that was
21 approximately "five years ago"?

22 A Up to five years ago. And then afterwards,
23 we met -- actually -- it's actually -- with the two
24 years of COVID, it could be a little more. I'm -- I'm
25 off my timing.

1 B. HANDAKAS

2 Q I think that's common --

3 A It could be between five and seven.
4 Somewhere in there.

5 Q As a manager at Vector, did you hire any
6 employees?

7 MS. ROSEN: Objection to form.

8 A -- yeah. You have to be a little more
9 precise on this. What type of employees? We have
10 clerks. We have, you know, "supervisals," you know,
11 project managers, supervisors. Those would be, you
12 know, people that Vector would hire.

13 Q Let's take the supervisors. Did you,
14 personally, have a role in hiring supervisors?

15 A Yes. Supervisors that actually worked for
16 Vector. Yes.

17 Q And --

18 A It's --

19 Q -- what about project --

20 A -- there's a distinction --

21 Q I'm sorry?

22 A I'm sorry. There's a distinction between
23 our supervisors and supervisors that worked for the
24 subcontractors, or the construction staffing solution
25 company.

1 B. HANDAKAS

2 Q I understand. And besides Vector, have you
3 ever owned, or managed, any other businesses?

4 A In what time frame?

5 MS. ROSEN: Objection to form.

6 BY MS. ERRINGTON:

7 Q You had stated that you worked for Vector
8 for approximately "19 years." Before that, had you
9 ever managed another -- were you ever a manager at
10 another company?

11 A Yes. I was.

12 Q Can you tell me the name of that company?

13 A I don't recall. Twenty years ago.

14 Q I understand. In your capacity as a
15 manager, have you ever been investigated for
16 misconduct of any sort?

17 A The manager --

18 MS. ROSEN: Objection to form.

19 I -- I don't know how the Witness could
20 answer such a broad question like that.

21 BY MS. ERRINGTON:

22 Q I'll be more specific. Have you ever
23 participated in an investigation by the Department of
24 Labor?

25 MS. ROSEN: Objection to form.

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B. HANDAKAS

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You can answer if you can.

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A Well, I don't know exactly what you mean if I participated because I don't participate in investigations. Nobody does. It's only the Department that does the investigation. Do you mean --

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Q Have you ever answered questions by an inspector from the Department of Labor?

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A Sure.

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Q Do you recall what time frame that was in?

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A Not really. But over ten years ago.

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Q Do you recall the nature of that investigation?

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A It was something similar to this. Workers, that worked for a subcontractor, weren't paid. And of course, the case was dismissed because they didn't work for Vector, and we had proof. We had similar proof with what we've given you. That, you know, we had the insurance policies of the employer. We had the invoices. And we submitted everything. We were truthful. And the case -- actually, there was a number of cases that -- that have been dismissed like that.

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Q I understand. Can you give me the address

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B. HANDAKAS

of Vector, or when it was in business, what address it operated from?

A 40 Roselle Street, Mineola, New York.

Q Am I correct in saying that is also the address you gave as your address earlier?

A Yes. It is.

Q With regard to employees that did work for Vector, did you supervise them?

MS. ROSEN: Objection to form.

You can answer.

Are you talking about office employees? Guild employees?

MS. ERRINGTON: Well, Mr. Handakas has been very adamant that there were employees that worked for Vector, and employees that didn't. To avoid confusion, I am speaking about the employees that he acknowledges worked for Vector.

MS. ROSEN: Yeah. But I -- even those fall into multiple categories. I mean employees that don't work for Vector cover, you know, lots of things. The guy in the deli up the street, my secretary up front. None of those employees work for Vector.

MS. ERRINGTON: Okay. I understand. Let me rephrase.

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B. HANDAKAS

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BY MS. ERRINGTON:

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Q You have stated you did occasionally hire employees directly to work for Vector, including supervisory employees, and project managers; correct?

6

A Correct.

7

Q Were you responsible for supervising their work?

8

9 A Well, in essence, there's no supervision to
10 a supervisor. I mean they have to perform their
11 duties, which is supervising whoever's working.
12 There's no such thing as supervising a -- a
13 supervisor, or a project manager. If I assigned them
14 their -- the project that they were going to work on
15 in the beginning of the project, yes. But that
16 doesn't entail supervision.

17 Usually -- not usually. It's customary that
18 we give them the plans, and specs, and they review
19 them, and -- and in cooperation with the GC
20 supervisory personnel -- which they are the ones that
21 really direct our supervisory personnel on a daily
22 basis -- they get the job that -- they get to perform
23 the project.

24 It's -- I don't have involvement on the
25 day-to-day basis to call it "supervy" -- "supervy" --

1 B. HANDAKAS

2 supervision. So I don't know how to answer that other
3 than the fact, most likely, the answer is "No." I
4 don't supervise -- I didn't supervise them because it
5 was a collaboration between the GC "supervisionary"
6 force and the supervisor that we assigned on the
7 project.

8 Q So what would happen if a supervisor hired
9 by Vector, working for Vector, did not perform
10 according to the contract?

11 A There's no way he won't perform, or there's
12 -- there's no possible way. The GC supervisors
13 control that. They control the daily activities.
14 They give a three-day look-ahead of what needs to be
15 done, where they want them to work. It's not
16 controlled by me. I don't control it.

17 Q Are you familiar with a person named
18 "Sergio," who had worked at Vector?

19 A He didn't work at Vector. He was never an
20 employee of Vector. My understanding is that, and if
21 I remember correctly, he worked for North Star
22 Solutions.

23 Q So you seem to know someone named "Sergio."
24 Do you know his last name?

25 A No. I know Sergio. That's how we used to

1 B. HANDAKAS

2 call him. I'm sorry.

3 Q No. Perfect. Look. You know we know you
4 don't know what you don't know.

5 A Yeah. I mean, look. He didn't work for
6 Vector, so I wouldn't have seen his last name unless I
7 saw it on the list. It -- we -- we provided the
8 invoices that -- that list the individual names. But
9 I -- I don't recall his last name. I'm sorry.

10 Q When did you first encounter Mr. Sergio?

11 A When did I what?

12 Q When did you first encounter him?

13 A Oh. I don't -- I mean that wasn't really
14 significant event to remember. Whenever Sal hired him
15 and brought him to the jobsite. I -- I don't remember
16 exactly when.

17 Sal is -- I don't know -- manager, or owner,
18 of North Star Solutions, or whatever his company is.

19 Q You said his name was "Sal Almonte"?

20 A Yes.

21 Q Thank you. So does Vector maintain
22 employment records?

23 A Employment records for employees that worked
24 for Vector, like the staff in the office. Yes. I
25 mean anything else, no. We don't keep employment

1 B. HANDAKAS

2 records for subcontractors, or a staffing solution
3 company, if that's what you're implying. No. We have
4 nothing to do with that --

5 Q So I just wanted to know if they kept
6 employment records for people that work for them? So
7 you're saying --

8 A We have to, by law. It's -- it's -- we --
9 we cannot not. We have to. We're required to. And
10 we -- we -- by the way, we used a payroll company,
11 which really maintains all the records. We don't even
12 -- actually, let me rephrase that. Let me correct it.

13 Vector does not maintain any payroll
14 records, or anything. Everything is maintained by the
15 payroll company that we contracted with, to provide
16 the payroll to the few employees that Vector had.

17 Q Can you tell me the name of that payroll
18 company?

19 A I don't recall, off the top of my head. I'm
20 sorry. We haven't had payroll for a couple of years.

21 Q You had mentioned previously that you have
22 used staffing agencies to staff construction jobs. Do
23 you recall any of the names of those companies,
24 besides North Star?

25 A I never said I used other staffing solution

1 B. HANDAKAS

2 companies. I don't know where you got that from. The
3 only thing I said is that we use subcontractors, and
4 we use the construction staffing solution provider,
5 who was North Star Solutions, I believe.

6 Q I apologize for that misunderstanding. So
7 North Star Solutions was the only staffing agency that
8 Vector used, to your recollection?

9 A Yes. We didn't -- we were -- we didn't have
10 no reason to use anybody else. Plus, you know, we
11 used them on every project we had. We had five-, six
12 projects working at a time, and he provided the -- the
13 labor forces.

14 There was times in the summer that he
15 provided over 200 men. And women, actually. It's not
16 just men. There were women as well. I want to
17 clarify that. I don't want to get in trouble for
18 something.

19 Q So when you contracted with North Star
20 Solutions, was this contract in writing?

21 A No. You don't contract with a staffing
22 solution. I don't know if you ever dealt with the
23 office staffing solutions, temporary agencies. You
24 call them up. You tell them you need somebody. They
25 send you the people.

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B. HANDAKAS

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That's basically how it worked with North Star. We would ask for -- I don't know -- ten masons, ten laborers, and they would send them to the specific job that we needed them as long as we gave them three days' advance notice. And -- and that's how we operated.

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And the deal was that we had to pay them every week. Every Friday. If we didn't pay, Friday, they wouldn't show up, Monday, to work. So we had a vested interest to make sure they got paid. North Star. So we paid them. North Star was paid every week. I made it my business to make sure that he was paid every week, and that's why they continued working every week. Otherwise, there would be no men on any project.

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And during the relevant time of -- of, you know, this, I call it, frivolous -- this claim, we had over 150- to 200 people employed under Sal's company, North Star Solutions. And they continued work for months. So I had no reason to believe that nobody was not paid.

23

24

But anyway, I'm sorry. I'm -- I'm going off on a tangent. I'm sorry.

25

Q No. It's perfectly fine. Was North Star

1 B. HANDAKAS

2 Solutions also responsible for firing employees if
3 something were to go wrong?

4 A Of course. They had total control.

5 Q Who determined the rates of pay for the
6 people working on these jobsites?

7 A I -- I was waiting for that question. That
8 was given to me by Sal, himself. And he would add his
9 markup on it, and we would pay whatever it was. We
10 never actually had discussions. But usually, a mason,
11 he would charge between 30- to \$40. A -- a laborer,
12 he would charge between 15- to \$20. Something in that
13 area.

14 But that was the general understanding. It
15 wasn't that we -- I didn't know any -- most of these
16 people, I don't even know them. I've never even seen
17 them. So -- but the -- you know, just the way they
18 didn't know me. I -- by the way, were you in the
19 depositions of -- of the employee -- of the claimants?
20 None of them recognize me. Nobody -- nobody knows me
21 because they never worked for me.

22 Q Understood. So how did Vector generate
23 revenue? Again, I'm not familiar with this area. If
24 you could give me a rundown of how Vector made its
25 money?

1 B. HANDAKAS

2 A I mean it's self-evident. We get
3 construction done --

4 MS. ROSEN: Objection to --

5 THE WITNESS: I'm sorry.

6 MS. ROSEN: No. No. No.

7 Objection to form.

8 But you -- you can answer, Bill.

9 THE WITNESS: Yeah. We bid on
10 construction projects to build specific parts of the
11 project. If we're successful, we're awarded the
12 project. And then, we have to perform.

13 So we hire entities like North Star
14 Solutions, and maybe subcontractors, to perform the
15 work. And every month, we get paid from -- based on
16 the work that's completed. And we have to pay,
17 afterwards, our suppliers, our vendors, including
18 North Star Solutions. And whatever's left over,
19 that's the generated money for Vector. If there's
20 anything left over.

21 BY MS. ERRINGTON:

22 Q What made you decide to contract North Star
23 Solutions to provide your manpower?

24 MS. ROSEN: Objection to form.

25 You can answer.

1

B. HANDAKAS

2

A The fact that he had manpower.

3

Q That makes sense. Did you ever use a different vendor, or did you ever consider a different vendor?

6

A Not that I recall. No. I don't remember of anything like that. I mean we found -- we were introduced to Sal. You know, it -- and by the way, North Star Solutions is used by maybe 20 other contractors. So obviously, we know some of them. We know their reputation.

12

So when you hear that, you know, North Star's doing the work for -- I don't know -- A, B, C company, and that company's doing well, and they're doing good work, and you know, there's no reason to doubt that he has the appropriate personnel. The -- the numbers seemed fair. They weren't -- they weren't cheap, but they were fair.

19

And the thing is that, you know, he saved us the -- the headache of searching and finding men. And as you -- as you've witnessed, yourself, most of these men don't speak English, so it's very hard for somebody like me, that doesn't speak Spanish, to find them. So that's where Mr. Almonte's expertise came in very handy.

25

1 B. HANDAKAS

2 Q Did you ever meet with Mr. Almonte,
3 in-person?

4 A Every week when I paid him.

5 Q Where did you meet with him?

6 A He came to my office.

7 Q So that would be your office that is at your
8 home, or was there a different office?

9 A I never said it's my home.

10 MS. ROSEN: Object -- yeah.

11 A You're -- you're implying things.

12 Q I apologize. Where was the office where he
13 would meet with you?

14 A We said the address three times up to now.
15 40 Roselle Street in Mineola.

16 Q Was anybody at Vector responsible for
17 ensuring compliance with federal, and state, wage
18 laws?

19 MS. ROSEN: Objection to form.

20 You -- you can answer if you can.

21 A First, we used the payroll company that was
22 more than responsible. They took care of everything.
23 All the filing, and everything. Our employees were on
24 a weekly salary. Nobody had hours to be controlled or
25 held.

1 B. HANDAKAS

2 And if you're implying that we had to be
3 responsible for a separate, independent company like
4 North Star, no. We have no jurisdiction over that.
5 We have nothing to do with that.

6 Q Did you ever directly hire any masons, or
7 construction workers?

8 A Ever in --

9 MS. ROSEN: Objection to form.

10 You can answer.

11 A Ever in what time frame? You have to give
12 me a time frame. In the --

13 Q I apologize --

14 A -- time?

15 Q 2018, to 2020?

16 A 2018, to 2020? I'm not sure --

17 MS. ROSEN: And in -- and in connection
18 with Vector?

19 MS. ERRINGTON: Yes. In connection
20 with Vector.

21 THE WITNESS: Perhaps. I'm not sure at
22 this point. I don't remember. It's been a while.

23 BY MS. ERRINGTON:

24 Q So I want to turn to a specific construction
25 project right now. Was Vector ever contracted to

1 B. HANDAKAS

2 perform services on a construction site located on
3 Main Street in Yonkers, New York?

4 A On Main Street. No. In Yonkers. Yes.

5 Q Do you recall the address of that project?

6 A I don't recall. But I'm sure it's not Main
7 Street. It was a weird name that I don't recall right
8 now.

9 Q Do you recall if the development had a name?

10 MS. ROSEN: Objection to form.

11 You can answer.

12 A It did have a name. But right this moment,
13 I don't recall. If I recall at a later point, if you
14 allow me, I'll tell you then. If I recall.

15 Q Of course. I would appreciate that.

16 A Yes. I -- I just can't remember it right
17 now.

18 Q What kind of building was being built there?

19 A Residential. Apartment building, actually,
20 I should say. Actually, commercial, in this case.
21 Sorry.

22 Q When did you contract to perform services at
23 this site?

24 A I don't --

25 MS. ROSEN: Objection to form.

1 B. HANDAKAS

2 A I don't recall exact date. But it was most
3 likely around end of 2017, if I -- if I recall
4 correctly.

5 Q What was the name of the general contractor
6 on this site?

7 A There wasn't a general contractor. It was a
8 construction manager.

9 Q What was the name of --

10 A And --

11 Q -- the construction manager?

12 A Hudson Meridian.

13 Q Was this contract in writing?

14 A Yes.

15 MS. ERRINGTON: I would like to call
16 for the production of that, please.

17 MS. ROSEN: We'll take that under
18 advisement.

19 THE WITNESS: Okay. Well, I'm not
20 going to ask a question. Forget it.

21 BY MS. ERRINGTON:

22 Q Did Vector contract directly with the
23 construction manager?

24 A Of course.

25 Q What services was Vector contracted with, to

1 B. HANDAKAS

2 perform at this jobsite?

3 A Construction services.

4 Q Did Vector ever hire workers directly to
5 work at this jobsite?

6 A I don't recall. I told you that earlier.

7 MS. ROSEN: Asked and answered.

8 BY MS. ERRINGTON:

9 Q Did Vector employ a foreman, or a
10 supervisor, to manage work at this jobsite?

11 A We had a couple of supervisors because one
12 left at some certain point, and then we had another.
13 The one that was there predominantly, yes.

14 Q What was his name, or her name?

15 A His name was Emmanuel Poolios.

16 Q And the name of the other that was there
17 briefly?

18 A He was there briefly. I don't recall. I --
19 I don't recall. He was maybe there a month, or two.
20 I don't know.

21 And Emmanuel was there during that time as
22 well 'cause we were phasing him -- we were phasing him
23 in while we were -- while the other one, we were, you
24 know -- he wasn't -- he -- he had told us that he's
25 leaving for another project -- another job.

1 B. HANDAKAS

2 Q Understood. Did Vector contract with North
3 Star Solutions to provide work at this jobsite?

4 A I don't know what you mean by "contract."
5 I --

6 Q I apologize. I'll rephrase. Did Vector use
7 North Star Solutions to supply workers at this
8 jobsite?

9 A Well, as I -- as I stated previously on --
10 on another question, we -- we use them on all our
11 sites. Yes.

12 Q To your knowledge, when did North Star begin
13 sending workers to this jobsite?

14 A I don't remember, 100 percent. But it could
15 have been between -- could have been February-, or
16 March-, or April, I -- I would think, 2017. If I'm
17 correct. I'm not sure. I mean that can be verified
18 by the invoices. They're chronologically submitted,
19 on a weekly basis, so that would show exactly the --
20 the days that he -- they started providing labor
21 there.

22 MS. ERRINGTON: I would like to call
23 for the production of those invoices.

24 THE WITNESS: We've produced them.

25 MS. ROSEN: They have already been

1 B. HANDAKAS

2 produced.

3 MS. ERRINGTON: I have looked over the
4 Production. I don't believe I have them. But we can
5 discuss that at a later date.

6 THE WITNESS: You definitely have them.
7 I put them together. You definitely have them. You
8 haven't reviewed them, but you have them. That should
9 be the -- the proper way of -- of -- well, anyway,
10 that's none of my business. But we've provided them.

11 MS. ERRINGTON: Well, I'll discuss that
12 with Ms. Rosen at a --

13 MS. ROSEN: We'll take it under
14 advisement, and we can discuss it off -- off the
15 record.

16 BY MS. ERRINGTON:

17 Q To your knowledge, did anybody from North
18 Star Solutions, were they present at the jobsite there
19 in Yonkers, on a daily --

20 MS. ROSEN: I'm sorry. Could you --
21 could I have that question --

22 THE WITNESS: [Unintelligible
23 response.]

24 MS. ROSEN: -- read back, or repeated?

25 //

1 B. HANDAKAS

2 BY MS. ERRINGTON:

3 Q Did --

4 MS. ROSEN: I just -- I just didn't
5 hear it.

6 MS. ERRINGTON: Oh, okay.

7 BY MS. ERRINGTON:

8 Q Well, to your knowledge, were any
9 supervisory employees of North Star's at the jobsite
10 there, in Yonkers, on a day-to-day basis?

11 MS. ROSEN: Objection to form.

12 You can answer.

13 A I think we answered that before, when we
14 were talking about the gentleman by the name "Sergio."

15 Q To your knowledge, Sergio was present at the
16 jobsite, in Yonkers, on a day-to-day basis?

17 A Yes. Not for the entire project. Up to the
18 time where he left. I don't remember when he left.
19 But he left to -- to meet his family, overseas. So I
20 don't know when that was. I don't remember.

21 Q Did the project continue after Sergio left?

22 A A little -- a little while longer. Yes.

23 Q Did Vector complete its contract for this
24 jobsite in Yonkers?

25 A 100 percent. But we haven't been paid.

1 B. HANDAKAS

2 Q I'm sorry to hear that. It seems to be a --

3 A That's fine.

4 Q -- problem here.

5 A Well, the -- the big problem is that we have
6 the people above us that don't pay us, and then the
7 people below us that want more money that we don't owe
8 them, and we have that problem. Yes.

9 Q Did you have regular contact with Sergio
10 during this project in Yonkers?

11 A What does "regular" entail? Once a week?
12 Twice a week? I don't know what "regular" means.

13 Q So once a week?

14 A Once a week. I visited the jobsite, once a
15 week, for a job meeting, and I did have contact with
16 him then. Yes.

17 Q What was the nature of this job meeting?
18 Again, I'm not familiar. If you could explain what a
19 "job meeting" is?

20 A -- it's a weekly project meeting that I had
21 with the construction manager personnel that I
22 attended.

23 Q And what role did you take in those
24 meetings?

25 A I'm sorry?

1 B. HANDAKAS

2 Q Well, what would be your role in those
3 meetings?

4 A I was a participant. I was just sitting
5 there, listening to them.

6 Q Then, again forgive me. I'm not familiar
7 with -- I apologize for my ignorance.

8 A I -- yeah. I -- I wasn't designing the
9 project, and I wasn't running it. So I was just there
10 because I had to be there, and that was it. I was
11 listening to what they had to say. Nothing else.

12 Q Understood. Did you have any contacts with
13 North Star Solutions besides Sergio, and Sal Almonte?

14 A Most of my contact -- 99 percent of my
15 contact was with Sal Almonte.

16 Q Do you know what Sergio's title was?

17 A No. I don't know if he had one.

18 Q Had you ever worked with him, or had contact
19 with him, in regards to any projects besides the
20 Yonkers job?

21 A No. Not that I recall. No.

22 Q Did Vector have any other contracts, or
23 projects, during the same time as this project in
24 Yonkers?

25 A [Unintelligible response.]

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B. HANDAKAS

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Q That would be between about 2017, and I
3 guess, 2020?

4

5

A As I mentioned earlier, we had five-, six
5 projects that we provide -- that we asked North Star
6 Solutions to provide labor for.

7

8

Q Had you ever run into any problems with
8 workers claiming not to be paid?

9

10

11

12

13

A Once, or twice. And then, we make -- we,
10 you know, spoke with Mr. Almonte, and he paid them.
11 It's not that they weren't paid. The payments were
12 delayed, I would say, for some reason. I don't really
13 know the specifics.

14

15

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But I know that most of these guys demanded
15 cash, and it was impossible to provide that much cash
16 for Mr. Almonte. For anybody, actually because there
17 was -- just so you understand, there was weeks that we
18 paid, alone. Forget about all these other contractors
19 that he was working with. But there was weeks that we
20 were providing, like, 120-, \$150,000 a week, in
21 payments. So you could imagine the amount of payroll
22 that he had.

23

24

25

And a lot of these guys, when you get --
24 when he gave them a check, I heard, it was mutiny.
25 They didn't want a check. But they want the benefits.

1 B. HANDAKAS

2 They want everything. But they don't want the
3 responsibilities, I -- I assume. I don't know exactly
4 the details. But I remember that that was an issue a
5 couple of times.

6 And the poor guy, I must admit, he -- he
7 gave in, and I don't know where he found it. But he
8 paid them in cash just to -- to keep them going. He
9 was constantly blackmailed by these people.
10 Constantly.

11 Q Well, when you say "blackmailed," what do
12 you mean by that?

13 A Blackmailed. As I said. "Give me -- give
14 me cash, or I don't work." That's blackmail. These
15 guys wanted to get paid 30- \$40 an hour, and get paid
16 cash, which is unacceptable, by any means. None of us
17 get cash. I don't know where they'd come up with it.

18 Q Just to confirm, you did not participate in
19 hiring any of these people, these men, who were
20 demanding cash, in your words?

21 A I -- first of all, I don't know what you
22 mean by that. I mean I -- I can't -- I -- you got to
23 be a little more clear, please.

24 Q You stated previously that these workers
25 were hired by North Star Solutions; correct?

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B. HANDAKAS

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3

4

5

A I didn't say they were only hired by North -- I don't know if they were hired by North Star, or by anybody. I know that they were working for North Star. That's what I said.

6

7

8

Q But it's your position that neither you nor Vector hired them, nor set their terms of employment; correct?

9

10

11

12

13

14

15

A While they were working for North Star, no. Of course not. They were working -- while they were working for North Star, they had their own deals. They made their own employment agreements, or whatever you want to call them, with Sal Almonte, I believe. I don't know for sure. I wasn't involved. And I'm just saying, I would assume that.

16

17

18

19

And actually, I'm stating for the record that I'm assuming that. I don't know that. I was never participating in it. I never heard anything. I never saw anything.

20

21

22

But if they were working for him, I can only assume the obvious. That they had some sort of an arrangement.

23

24

Q Did Sal Almonte ever request that Vector pay North Star in cash?

25

A No. Every payment we made was either by

1 B. HANDAKAS

2 check, and later on, wiring because I didn't have the
3 time to meet him once a week, or whenever we had to --
4 week. So I settled to wire the money. Plus, the
5 payments were pretty high. Fifty- to a hundred and
6 fifty thousand, so it -- it was easier just to wire
7 the money --

8 Q I can see it --

9 A -- every week. We provided all those
10 records, by the way.

11 Q I know. I do have access to those. Was it
12 ever brought to your attention that workers, on this
13 Yonkers jobsite, were not paid at all?

14 A "At all" meaning what? They worked there
15 for a year, and they didn't get paid?

16 Q No. I apologize. Let me clarify.

17 A Okay.

18 Q That they were either not paid on their
19 agreed-upon payday, or they were given checks that
20 were then returned for insufficient funds?

21 A I had -- well, not paid on their agreed-upon
22 payday doesn't mean anything if they got paid the next
23 day. They still got paid.

24 But I -- I faintly remember an incident
25 where a few checks, of -- of North Star Solutions, had

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B. HANDAKAS

2

not been honored at a check-cashing place. But that doesn't really -- that's not really true because the check-cashing place did pay out the checks. And the check-cashing place was -- got paid, afterwards, by Mr. Almonte.

7

And the reason why I know that is because the check-cashing place had contacted us and asked for our assistance to locate Mr. Almonte, and I provided my assistance. And pretty much, I -- I was later told that those payments were honored. That Mr. Almonte paid back to the check-cashing place.

13

But that's irrelevant to this claim because the guy -- the men did receive their money from the check-cashing place. They received their money. I don't think any of those checks were not paid.

17

Q How did you come by this knowledge that none of the checks were not -- or -- this is awkward. I apologize. How did you know that the checks were all ultimately paid?

21

A Not ultimately. Immediately paid. When they presented the checks to the check-cashing place, they were paid. And then, the check-cashing place was after Almonte, or North Star Solutions, to get reimbursed for the money that they paid out that

25

1 B. HANDAKAS

2 wasn't covered by the checks.

3 Q I understand. But how do you know that
4 these were the sum total of checks in question, and
5 that there were not other checks that were not honored
6 later?

7 MS. ROSEN: Objection to form.

8 I -- I don't understand.

9 THE WITNESS: I don't follow --

10 MS. ROSEN: I -- I can't follow the
11 question.

12 BY MS. ERRINGTON:

13 Q So you had stated that all the workers got
14 all their money because the check-cashing place paid
15 out, and then went after North Star later; correct?

16 A Correct.

17 Q However, do you know for a fact that there
18 were not other, subsequent checks that were not
19 honored?

20 A Well, I could tell you that -- or what I
21 could only assume. What I mentioned before is that if
22 -- if these people were not paid on Friday, they
23 wouldn't return to work the next day. They all
24 returned. So if they returned, it's -- it's
25 implied -- actually, it's more than implied. It's

1 B. HANDAKAS

2 a -- I could -- not guarantee. But I know for a
3 certainty that they were paid.

4 Unless -- if they -- if Almonte did not pay
5 them, or if -- if any -- for any reason, they weren't
6 -- they didn't receive their weekly check, they will
7 not come back to work. They will not. And by that
8 alone, I -- I am certain that they were paid. By that
9 alone.

10 Now, do I know for certainty? No. I don't
11 know their accounting. I don't know North Star's
12 accounting. I don't see their books. I don't see
13 their checks. Can I put my hand on the Bible, and say
14 that I saw everything? No. I didn't.

15 But I can guarantee you that nobody would
16 show up for work unless they were paid on Friday.
17 They would not. And they've demonstrated that.
18 That's the reason why we had some -- some little
19 hiccups when they were paid late. If they weren't
20 paid on Friday.

21 'Cause another problem that we had -- many
22 days, we -- we needed them to work on a Saturday.
23 Some of the guys. And if -- if Almonte paid them on
24 Friday, these guys would all get drunk on Friday
25 night, and wouldn't show for work on Saturday. No.

1 B. HANDAKAS

2 This is a -- this is a problem in the industry. It's
3 not just them.

4 Q I believe you. That --

5 A So -- so there's two issues. If they showed
6 up, it's a problem. They could get hurt, and we don't
7 want them on the jobsite. But if they -- most of the
8 time, they don't show up, and then we have a problem
9 with the CM as -- as the contracted party. North Star
10 doesn't have a problem. I have the problem. We had
11 the problem. Vector.

12 So I agreed with him, instead of paying them
13 on Friday -- I agreed with what he suggested. He
14 suggested that instead of paying them on Friday, he'll
15 pay them Saturdays, which made sense because they
16 wouldn't get drunk other than Saturday night. Then
17 Sunday, they sleep it off. Monday, they come back to
18 work. He was their boss, so he handled that. I -- I
19 had nothing to do with that. But it was -- it was a
20 good system for a while.

21 Q I just want to clarify. When you say "CM,"
22 that is "construction manager"; correct?

23 A Correct.

24 Q When you say, sometimes, you would need the
25 guys to come in on Saturday, who would make that call?

1 B. HANDAKAS

2 A I don't understand. At what level?

3 Q Well, because you mentioned that sometimes,
4 you would need people to come in Saturday. Would that
5 be --

6 A [Unintelligible response.]

7 Q -- your call? Would that be the CM?

8 A The CM.

9 Q And if you could just clarify that line of
10 communication? The CM would tell you "This work needs
11 to get done on Saturday," and you would tell North
12 Star? Is that correct?

13 A Correct.

14 Q So I want to clarify. I know you said that
15 the contract was for construction work. More
16 specifically, what type of work were you contracted to
17 do? Masonry, scaffolding? If you could just explain,
18 with a little more specificity, the types of work that
19 you did at this Yonkers jobsite?

20 A It was masonry with associated work for the
21 masonry.

22 Q Do you know how tall this building was that
23 eventually went up there?

24 A Which one?

25 Q I apologize. The one in Yonkers?

1 B. HANDAKAS

2 A It's not one. It's three.

3 Q The buildings in Yonkers?

4 A One was two stories. The other one was 15,
5 and the other one was 20, I think.

6 Q In your experience, what kind of tools, or
7 equipment, would a construction worker need to use to
8 do that type of work?

9 MS. ROSEN: Objection to form.

10 You can answer.

11 A I -- I don't really understand the question.
12 I mean they have to provide their tools, and -- and
13 work. So I don't know what -- what you're asking me.
14 I'm sorry.

15 Q Well, you said they had to provide their own
16 tools. Do you know what type of tools those would be?

17 A Not really. I'm not a mason.

18 Q Who made the decision that they would have
19 to supply their tools?

20 A Decision? It's not a decision. It's a
21 industry standard. They have to come with their bag
22 of tools. Just like Felix the Cat, you know? He had
23 his bag of tools.

24 Q I understand. Again, forgive me. I don't
25 have much knowledge as to industry standards, so I

1 B. HANDAKAS

2 apologize if these questions are very elementary.

3 A That's fine. But that's an industry
4 standard. It's not something anybody came up with.

5 MS. ERRINGTON: So if it's all right, I
6 would like to take 15-minute break. If you would like
7 to talk with your counsel, I'll go over my notes, and
8 if we can come back at 11:15? Is that all right?

9 THE WITNESS: That's fine.

10 MS. ROSEN: Sure.

11 MS. ERRINGTON: All right. Thank you.

12 (Off the record.)

13 BY MS. ERRINGTON:

14 Q Mr. Handakas, I'm going to put on my share
15 screen, right now, an exhibit, and hopefully this will
16 go smoothly. Are you able to see this? So as you can
17 see, it is page 5 of a 14-page document. Are you
18 familiar with this document, Mr. Handakas?

19 (Exhibit A was marked for
20 identification.)

21 A Familiar, per se, no. But it is what it
22 says it is. Right?

23 Q And at the top, it says "Vector Structural
24 Preservation Corp," with an address in "Port
25 Washington." And at the top left, it says "Payroll

1 B. HANDAKAS

2 Register." Is that correct?

3 A Correct.

4 Q I'm going to scroll down a little bit now.

5 Do you see, at the bottom left of the screen, the name

6 "Jesus Sierra"?

7 A That's what it appears to be.

8 Q What type of document is this, do you

9 believe?

10 A What you mentioned. It's a "Payroll

11 Register." You mentioned it already.

12 Q Is it your understanding that names that

13 appear on the "Payroll Register" were persons who were

14 on the payroll of Vector Structural Preservation

15 Corp.?

16 A Not indefinitely. Only for the time that it

17 shows.

18 Q I understand --

19 A It shows --

20 Q And, well --

21 A Yeah.

22 Q I'm only asking about the time that it

23 shows --

24 A Yeah.

25 Q Let me scroll up again.

1 B. HANDAKAS

2 A It shows from 6/20/2018, to 6/26/2018;

3 correct? I don't know if there's --

4 Q Well, that part does. Yes. Correct.

5 A -- anything else on another page.

6 Q There's 14 pages here. Can you see, at the
7 top right, where it says March 1st- to August 31,
8 2018?

9 A Well, I can't see it because the -- the --
10 what do you call it? The --

11 MS. ROSEN: The screen cuts it off.

12 THE WITNESS: -- screen cuts it off --

13 MS. ERRINGTON: Let me --

14 THE WITNESS: But --

15 MS. ERRINGTON: Sorry. Let me --

16 THE WITNESS: -- it's a trimester. So
17 I -- I assume that's the trimester that it's showing.
18 Yes. But now, I can't see anything.

19 MS. ERRINGTON: Sorry. We're all doing
20 the best we can, given the circumstances we're under.

21 BY MS. ERRINGTON:

22 Q So you see "Jesus Sierra" at the bottom left
23 of this screen?

24 A Yes. We said that.

25 Q Do you know who Jesus Sierra is?

1 B. HANDAKAS

2 A Do I know who he is? No. I know I read the
3 name, just the way you're reading it. I don't know
4 who he is. And then --

5 Q -- sorry.

6 A I'm sorry?

7 Q No. Continue --

8 A No. Go ahead. I stopped. I ended.

9 Q Do you see on this next page -- we are on
10 page 7 of 14. Do you see the name "Juan J Sierra
11 Rodriguez"?

12 A That's what it says.

13 Q Do you know who he is?

14 A I -- I don't -- by reading his name, no. I
15 don't know who he is. I'm sorry. There's no possible
16 way I could remember, from 6/20/2018, who a -- a
17 John -- what is that? "J Sierra" is -- "Rodriguez" --
18 and I'm sorry.

19 Q And to scroll further down, do you see the
20 name "Ramon Rosales"?

21 A Yes.

22 Q Do you know who he is?

23 A I -- same -- same answer for all these guys.
24 I don't know who they are. I'm sorry. You're showing
25 me a name. If you showed me a picture, maybe. But I

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2 -- I can't remember who they are.

3 Q I understand. So I'm going to --

4 A But no -- not only remember. I don't -- I
5 don't think I know who they are.

6 Q Okay. Well, that's fine. But just for the
7 record, I'm going to go down. I understand that your
8 answers, that you have said you don't know any of
9 these people.

10 A No.

11 Q But just to confirm, you don't know who
12 "Segundo -- LeMachache Lluilema" is?

13 A No. Sorry. And --

14 Q And you don't know --

15 A But -- but what do I see is that they were
16 working at a period of -- from April to -- mid-April-
17 to mid-June of 2018, which gives me the understanding
18 that that was the time that North Star started, after
19 6/22.

20 So I would also like to correct my previous
21 answer that I didn't remember. That North Star
22 started -- I -- I'm assuming this is the Yonkers
23 job -- at 6/22 -- two thousand -- well, the day after.
24 Let's say, 6/23 -- two -- 2018, because all -- all of
25 the names that you're referring to, end at that time,

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2 where others continue.

3 So now, I don't know if I should offer this,
4 or not. But I remember, now --

5 Q If you would like to talk with your counsel,
6 that's fine. We can go off the record.

7 A No. It's okay. I -- I have nothing to
8 hide. There's nothing -- I mean I would say the
9 truth, no matter what, and my counsel will prompt me
10 to say the truth, anyway. She's not going to tell me
11 to lie. So I -- I'd rather tell you, now, and save us
12 maybe -- and save the reporter another two hours of
13 reporting.

14 So basically, what happened was we had a
15 subcontractor -- and I do not recall their name -- who
16 brought all these people that are still listed, and
17 aren't redacted, on the -- on the payroll record. And
18 basically, he left the project. He couldn't handle
19 it. And we needed people there until we found
20 somebody else to take over the project.

21 So we agreed -- I agreed to keep these guys
22 working, whoever wanted to work, and we paid them for
23 a few weeks. As you can see, it's basically -- one,
24 two, three, four, five, six, seven, eight, nine -- ten
25 weeks total until we -- we secured another

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2 subcontractor. In the meanwhile, we -- we were
3 introduced to North Star Solutions, and we -- we gave
4 them the responsibility of providing the labor.

5 These guys that worked before, some of them
6 that worked for the subcontractor that we had to pick
7 up for the -- for the time in-between, they secured
8 another job with North Star Solutions on their own.
9 We didn't tell them to go work there, or anything.
10 They -- we told them that -- the super actually told
11 them that we're going to stop their employment.
12 They're not going to work for us anymore.

13 And to be honest with you, this is perfect
14 because this really shows you that what Vector paid,
15 paid, and there's no complaints against Vector. This
16 is Vector's payroll. This is the time frame from
17 4/12- to 6/22/2018. I do not believe there's any
18 claim, in the -- in those ten weeks, that they were
19 not paid. They were paid. Am I correct?

20 Q I understand your position.

21 A [Unintelligible response.]

22 Q So --

23 A It's a great position, though? Right?

24 Q I won't opine on that, Mr. Handakas. So I
25 do have some questions further. I understand your

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2 position, and I appreciate you for --

3 A But --

4 Q -- stating it clearly --

5 A Yeah. It's not my -- it's not my position.
6 It's based on facts. Everything that you will hear
7 from me is 100 percent true facts. Nothing is made
8 up, and everything is backed up by paper. Everything
9 I will say to you, and everything I've said to you, is
10 backed up on actual paper.

11 Q Oh, okay. I understand.

12 A Paper trail, in other words.

13 Q So in this column that says "Hours" -- you
14 can see where the cursor is?

15 A Yes.

16 Q Who -- where does that number come from, to
17 your knowledge?

18 A Some -- the super, I guess, was reporting
19 the hours. I'm assuming. I don't -- I don't recall.
20 But that's probably how it happened.

21 Q So this is the second time you have
22 mentioned "the super." Was this super an employee of
23 Vector?

24 A As you -- as you --

25 MS. ROSEN: Asked and answered.

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2 A -- should remember, it was answered already,
3 and I even gave you the name.

4 Q And you assume that it was supplied by him.
5 Do you know if there were any timeclocks, punch-card
6 machines, any type of method of recording these hours?

7 A What I assume happened is that they sign,
8 every day, at the end of the day when they leave,
9 their hours. That's what I assume happened. I don't
10 recall, and I don't get involved in -- in these items.

11 We don't like having our own workers.
12 That's why we always seek a subcontractor, or North
13 Star, which is actually the normal thing in this
14 industry. Everybody -- entities, as Vector, usually
15 employ subcontractors. Nobody has his own workers.

16 Q Except for these several weeks in spring of
17 2018?

18 A Well, I told you. It was in -- it was a
19 position where we needed to have guys at the jobsite
20 from the -- for the layover, and that was the time of
21 a layover. Those tens weeks until we got somebody
22 else in there. And once we got somebody else in
23 there, we let everybody go. Since 6/22/2018.

24 Q I understand. So you had said April to
25 June. I'm just seeing here that there is a date in

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2 February. Could it have been --

3 A Yeah. But you're looking at the -- you're
4 looking at the redacted names, which are other people.
5 So those people are not in question. You're talking
6 about the names that aren't redacted are the ones that
7 you -- are of interest to you, in your case.
8 Everybody else is not of interest to you. So I don't
9 understand why you're asking me that question.

10 Q I was just trying to clarify the exact
11 timeline. But if it is your position --

12 A But you're not --

13 Q -- that --

14 A I'm sorry.

15 Q -- 4/12/2018, to --

16 A But you weren't clarifying it. You were
17 confusing it because I told you that the period that
18 these workers -- these specific workers like this
19 "Segundo" -- if you see, they're all from April --
20 mid-April- to mid-June of 2018. They're all in the
21 same dates. You can look them up.

22 Q No. Again, forgive me. I just wanted to
23 clarify. So your testimony is --

24 A But it wasn't -- but you weren't clarifying
25 it. You were confusing it, and I'm clarifying it.

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2 Q Well, I appreciate that. Thank you.

3 A You're very welcome.

4 Q Well, I think we're just about done here.

5 Is there anything else that you can recall? Any
6 testimony you gave that you would like to revise at
7 this point?

8 A The only thing I revised was the time North
9 Star Solutions started, which was probably the day
10 after 6/26 of 2018. And I added that -- what I added
11 before. I mean it's already -- already stated on --
12 on the record.

13 Q Okay. Thank you. So that's it?

14 A That's it.

15 Q I just want to give you the opportunity.

16 THE REPORTER: All right. The time is
17 11:31 a.m. We're now off the record.

18

19 (Whereupon, at 11:31 a.m., the
20 proceeding was concluded.)

21

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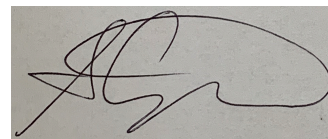
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1 CERTIFICATE OF DEPOSITION OFFICER

2 I, SHENAY CRAWFORD, the officer before whom the
3 foregoing proceedings were taken, do hereby certify that
4 any witness(es) in the foregoing proceedings, prior to
5 testifying, were duly sworn; that the proceedings were
6 recorded by me and thereafter reduced to typewriting by a
7 qualified transcriptionist; that said digital audio
8 recording of said proceedings are a true and accurate
9 record to the best of my knowledge, skills, and ability;
10 that I am neither counsel for, related to, nor employed by
11 any of the parties to the action in which this was taken;
12 and, further, that I am not a relative or employee of any
13 counsel or attorney employed by the parties hereto, nor
14 financially or otherwise interested in the outcome of this
15 action.

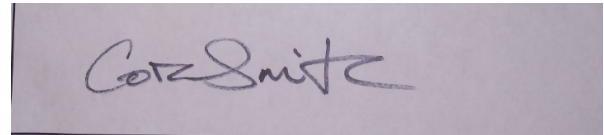
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17 SHENAY CRAWFORD

18 Notary Public in and for the
19 State of New York and New Jersey
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CERTIFICATE OF TRANSCRIBER

I, CORA SMITH, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

A rectangular box containing a handwritten signature in blue ink that reads "Cora Smith".

CORA SMITH

1 Zapata Osorio, et al. v. Vector Structural Preservation Corp.,
et al.

2 Bill Handakas (#5141049)

3 E R R A T A S H E E T

4 PAGE _____ LINE _____ CHANGE _____

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23 _____

24 Bill Handakas

Date

25

1 Zapata Osorio, et al. v. Vector Structural Preservation Corp.,
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2 Bill Handakas (#5141049)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Bill Handakas, do hereby declare that I
5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.

10
11 _____
12 Bill Handakas

Date

13 *If notary is required

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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